



JAN 26 2007

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

DOW AGROSCIENCES LLC  
9330 ZIONSVILLE RD  
INDIANAPOLIS IN 46268

In re Application of :  
David H. Meyeer et al :  
Serial No.: 10/727,007 : PETITION DECISION  
Filed: December 3, 2003 :  
Attorney Docket No.: 1388-033/63326 :

This is a response to the petitions under 37 CFR 1.59(b), filed November 14, 2006, to expunge information from the above identified application.

Petitioner requests that a document submitted November 14, 2006, as a Proprietary Information Disclosure Statement be expunged from the record. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(h) has been paid.

This application has not yet been examined on the merits. A request for information under 37 CFR 1.105 was mailed to applicants on June 14, 2006. In response, applicants have submitted a Proprietary Information Document, but the information provided has not been reviewed and the petition cannot be granted at this time. As stated in M.P.E.P. 724, upon allowance or other action closing prosecution in an application petition may be made for return of Proprietary Information Disclosure Statements.

The petition is **DISMISSED**. Applicants may resubmit the petition subsequent to a Notice of Allowability or *ex parte* Quayle action being mailed in the application. No additional petition fee will be required at that time.

**The application will be forwarded to the examiner for consideration of the information submitted and further action as warranted.**

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, at the above address, or by telephone at 571-272-0519 or by facsimile transmission at general Office facsimile number, 571-273-8300.

George Elliott  
Director, Technology Center 1600

A handwritten signature in cursive script, reading "George C. Elliott". The signature is written in dark ink and is positioned to the right of the printed name "George Elliott".